

October 4, 1979

Charles A. Tucker

Gene Ainsworth

In developing strategy to oppose a new anti-smoking initiative in California we must rely heavily on the lessons learned from the 1978 Proposition 5 campaign.

In its post election report on Proposition 5, Woodward & McDowell concluded:

"It is important that we do not misinterpret our victory in defeating Proposition 5 in California.

We must remind ourselves that it was Proposition 5 -- with its extreme and costly provisions and its excessive government regulation -- that was rejected by California's voters.

They did not reject all regulation or limitation of smoking.

In fact, findings in our post election survey tell us a majority of California voters would now approve smoking regulations that they consider reasonable.

For example, after the election, 71 percent of our sample of the electorate said they would support "some regulation" of smoking in public places. Those who wanted "no restrictions" numbered but 26 percent."

If these conclusions remain valid, and I believe we must assume they are as true today, and will be in 1980, as they were in November 1978, then the following basic assumption can be made regarding the current anti-smoking effort in California:

The anti-smokers learned from Proposition 5 and in 1980 our opposition will be well organized, professionally managed, well funded and will offer a "moderate" anti-smoking proposal.

With this assumption overlaying the lessons the industry learned from the 1978 California experience, I believe the industry's best chance for success rests with early, bold action to decide the issue; for if we permit the initiative to be resolved at the 1980 general election ballot, with all its attendant publicity, we face the possibility of a defeat of major magnitude.

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Thus, our strategy should be to resolve the issue prior to the 1980 general election. This strategy provides us with two tactical moves:

1. Prevent the anti-smokers from obtaining the requisite number of qualifying signatures for the initiative.
2. Carry the fight to the California Legislature. The objective being to pass a carefully drafted statute which would limit smoking location but have minimal, if any, effect on consumption. Early passage of such legislation would be a strong argument against the need for an anti-smoking initiative.

The adoption of this proposed strategy presents the industry with the decision of whether it wishes to make a fundamental shift in position from one of opposition to all restrictions on smoking to one of accepting restrictions which would limit smoking location.

I would like to discuss this strategy proposal with you as soon as your schedule will permit.

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